JEROME HALTS THE TERRANOVA TRIAL; DECLARES HIS BELIEF GIRL IS INSANE

CASE ADJOURNED UNTIL MONDAY, AND COMMISSION NAMED BY COURT EXAMINES PRISONER--STATE'S CHIEF EXPERT SAVED FROM PECULIAR DILEMMA

On motion of District Attorney Jerome, Justice Scott to-day halted the trial of Josephine Terranova and adjourned the case until Monday. In the meantime a commission named by the Court will examine the girl as to her sanity. Mr. Jerome now believes the girl insane.

Here is the real reason for his move, made in the evident hope of having her sent to an asylum and "saving the face" of the prosecution.

The 13-inch gun in the prosecution's battery of expert witnesses was Dr. Allan McLane Hamilton. His peculiar position is responsible for the change of front.

Four months ago, at Albany, Dr. Hamilton testified as an expert witness for the defense in the case of Robert Preusser, charged with the murder of Miles McDonald at the Ten Eyck Hotel. Dr. Hamilton testified that he found in Preusser local anaesthesia o the right side; that Preusser was insensible to the ordinary tests of sharp instruments and heated tubes. Also that Preusser's ancestry included lunatics and drunkards, and as a result of these facts the alienist said he believed Preusser insane.

Dr. Burton Evans, of New Jersey, gave similar testimony for the defense in the Preusser case, which resulted in a mistrial.

Notwithstanding his evidence in the Preusser case, Dr. Hamilton was expected to testify exactly the opposite in the Terranova cases. He was counted upon to say that while Josephine Terranova had defective ancestry and suffered from anaesthesia of the right side, she was sane.

Then on June 11, when Preusser's second trial is to be called, he would have to go back to Albany and testify that Preusser was insane.

Saw Trouble Ahead.

It developed yesterday afternoon that Dr. Burton Evans had prepared for Judge Palmieri a list of questions to be asked of Dr. Hamilton. In addition the District-Attorney of Albany came to New York and was in the court yesterday and to-day. He expected to secure a transcript of Dr. Hamilton's testimony here and to use it against him when Hamilton appeared again as a witness in behalf of Preusser. These things, it is believed, are largely responsible for the sudden change in the attitude of the prosecution to-day. It is declared that Dr. Hamilton might have declined to testify in view of these developments.

The postponement of the proceedings was against the objections of Judge Palmieri, counsel for the girl, who claims the District-Attorney made the move to save his office from a signal defeat. The District-Attorney offered to go on with the trial if Judge Palmieri would admit the girl is sane at this time, irrespective of her mental condition at the time of the crime. Judge Palmieri refused to make any admissions.

Commission Is Named.

Justice Scott named as members of the commission to examine the girl Dr. William Mabon, formerly Superintendent of Bellevue; Dr. Louis Balch, a practising physician, who makes a specialty of nervous and mental diseases, and Ed. L. Parris, a lawyer, of No. 251 Broadway. Mr. Parris will advise the two medical men as to the form of their questions, so there may be no doubt as to the legality of the proceeding.

The first meeting of the commission was held at 2:30 o'clock this afternoon in the Special Grand Jury room in the Criminal Courts Building. This examination was physical, and only the commission were allowed in the room. There will be another examination to-morrow.

Girl Cries, "I'm Sane."

When the Terzinova girl was brought into the courtroom she came face to face with Mr. Ely. Instantly she cried out to him, "Why do you bring me here? I am not insane. I think I have more sense than you have."

Then she turned to the Commissioners and, with a whirlwind of dramatic gestures, she said:

"Why am I brought here? The only happiness I have ever had inmy life was for twenty-two days; now I am locked up in this jail. You found I was to be acquitted and so you bring me here and try to prove I am insane and lock me up in the asylum. I do not want to be locked up. I am not crazy. All I want is a trial. I know the jury would turn me loose."

It is considered a foregone conclusion she will be declared insane. Dr. Francis McGuire, the Tombs physician, called as a witness for the prosecution yesterday, said that in his opinion the girl has never been able to distinguish right from wrong and is mentally irresponsible at the present time. But Assistant District-Attorney Ely says that three other experts, employed by the State, believe the girl sane and will so swear if the case goes on Monday. The experts this far have cost the State about $20,000. Experts for the defense have not charged fees and Judge Palmieri is paying their expenses.

It is understood that when Judge Palmieri sprung his insanity defense the prosecution was taken by surprise. The experts for the District-Attorney did not examine the girl until the night of May 15, the date of the opening of the trial.

Palmieri Objects.

Shortly before the trial was called to-day and while the defendant was waiting in the ante-room to be summoned to court District-Attorney Jerome and Assistant District-Attorney Ely asked Judge Palmieri to confer with them in the Justice's chamber.

Mr. Jerome asked him to consent to a dismissal of the jury and to agree there had been a mistrial. He placed the request on the ground that one of his own witnesses, Dr. McGuire, had testified that the girl could not distinguish between right and wrong and had not sufficient mental strength to know the quality of her crime, although she might have known its nature.

Judge Palmieri refused to agree to anything. He insisted that the trial proceed. The District-Attorney then announced that he would move for an adjournment until the girl could be examined as to her sanity.

District-Attorney Jerome made his motion as soon as court opened.

Jerome Asks Commission.

"No person of insane mind," he began, "should be placed on trial for any crime. In this particular case insanity is the defense, and, moreover, the defense contends that the insanity exists at this present moment. If counsel is aware or is honestly of the opinion that this girl is of infirm mind at the present moment, then it is against the letter of the law to proceed with this trial until it is legally determined by an unbiased commission whether or not the defendant is actually insane.

"A number of experts, trained and scientific men, who should be capable of judging, have testified here, agreeing that this defendant is not at present in full possession of her mental faculties. It matters not what the condition of her mind was at the time she killed her aunt and uncle, so long as she is insane now.

"The courts never were constituted for the purpose of trying lunatics for crime. Now, I would respectfully ask Your Honor to suspend this trial and appoint such a commission as I have outlined, and I would ask further that this commission make this examination forthwith and report as speedily as possible. If the girl is found to be insane, she can at once be committed to the Matteawan State Asylum for the Criminal Insane. If the commission finds her sane, the trial can be resumed."

Dodging, Says Palmieri.

In an instant Judge Palmieri was on his feet to protest. His client, the object of this fight and the person having more at stake than any other, sat unimpressed and apparently taking no interest in what was going on. A casual observer would have said she was the least interested person in the court.

"I have had the honor," said Judge Palmieri, "to practice here eighteen years. In all that time I have never heard such a motion as the District-Attorney has just made. The reports of the investigation of the alienists retained by the State were in the hands of the District-Attorney the day after this trial began. He knew what they would testify, and if he had any doubt regarding the girl's sanity at that time, it was his duty to take promptly the step he has delayed taking until to-day.

"He knew that the defence would be insanity, and he must have known what we expected to prove. He should not have put this county to the tremendous expense of carrying this trial almost to its conclusion. As a taxpayer I must protest against such an action as is now contemplated. I insist that it is only simple justice to proceed with this trial and let these jurors who have heard all the evidence say whether or not my client is sane or insane. I must strongly object to the granting of this motion."

Motion Is Granted.

The District-Attorney made a short rejoinder, in which he said:

"It is manifestly the duty of counsel for the defense to welcome this motion if he thinks his client is insane at this moment. It would be criminal for him to proceed with the trial, or indeed to consent to beginning such a trial, had he absolute knowledge that his client was not mentally competent.

"I submit that it is fair neither to the defendant, the court, the jury nor the State to proceed further until the absolutely vital question of the sanity of the accused is determined."

Justice Scott said: "It seems to me the only point at issue is the question of the defendant's sanity at the present moment. I do not care to assume the responsibility for the risk of having a jury bring in a verdict which might mean a term of imprisonment for a defendant who is not sane. A verdict of this kind is not within the bounds of justice, so I shall adjourn this hearing until Monday and appoint a commission to take evidence forthwith."

The prisoner was unmoved throughout the proceedings. She did not comprehend its purport, and Judge Palmieri was unable to make it plain to her.

STUDIES OF PROSECUTOR ELY DURING THE EXAMINATION OF WITNESSES IN THE TERRANOVA TRIAL.

(Sketched for The Evening World by Staff Artist Mortimer.)

EVENING WORLD SECURES INJUNCTION AGAINST GAS TRUST

(Continued from First Page.)

was given on May 1 with gas at the rate of 80 cents per thousand feet. The notice reads:

"Under compulsion of Chapter 125 of the laws of 1906 and of order of the State Gas Commission made pursuant to Chapter 737 of the laws of 1905, the company for the purpose of avoiding penalties of consequences of disobedience to the said Act, and order has adjusted this meter to the rate of 80 cents per 1,000 cubic feet instead of $1 per thousand cubic feet of gas.

"In case, however, it shall be judicially determined that the company is not restricted to the said rate the consumer will be hel dliable for the additional amount to which the company is entitled."

Basis of the Complaint.

The summons and complaint, a copy of which was served late this afternoon upon attorneys representing the gas company, further sets forth:

"That the price of gas sold by the defendant in the city of New York is and has been for many years regulated and fixed by statute, and pursuant to chapter 125 of the laws of 1906 the maximum legal rate which the defendant has been authorized to charge or receive for gas sold in the city of New York, Borough of Manhattan, since May 1, 1906, and is now authorized to charge or receive, is the sum of eighty cents for each one thousand cubic feet.

"That in pursuance of the said laws and decree, the said corporation entered into an agreement with this plaintiff on or about the first day of May, 1906, whereln and whereby it agreed to furnish gas for illuminating purposes to this plaintiff at the rate of 320 cubic feet of gas for the sum of twenty-five cents, the payment to it to be made by depositing the sum of twenty-five cents in a slot provided by the said company in a meter on the premises of this plaintiff.

Contract Broken.

"That in pursuance to the said agreement made on or about the 1st day of May, 1906, as aforesaid, a notice to that effect was duly posted and affixed by the said company to the meter in said premises, and the said company continued to furnish gas under said agreement until about the 19th day of May 1906, without any interference or threat on its part."

The plaintiff charges that the attempt on May 19 of the company to cut off his supply of gas and to discontinue the use of the same was a violation of the contract agreement made on May 1, and in violation and disobedience to the laws of New York and of the orders made by the State Gas Commission. Washburn alleges in his complaint that he is able and willing to pay the legal rate for all gas that he may use.

THOUSANDS OF LETTERS FROM GAS USERS POUR IN

Thousands of letters have been received by The Evening World from gas consumers in all sections of the greater city. The writers chiefly make inquiry as to whether they should or should not pay more than the legal rate, to which the answer is: Pay at the rate of 80 cents per thousand feet and no more. Here are a few of the queries:

To the Editor of The Evening World:

We have a quarter-in-the-slot meter. A man comes and collects from it monthly, and May 1 an employee called and fixed the metre for eighty cents, soon after he came again and fixed it for $1. Kindly advise me what to do, through your paper. LABORER.

For every 25 cents you deposit in the meter the Gas Trust becomes liable for the penalties attached to the Eighty-Cent Gas law. It is not at all unlikely that in forcing you to pay 5 cents more than the legal rate for each 250 cubic feet of gas you use a charge of larceny could be sustained in the police court against the company. Kindly send in your name and address to Gas Consumers' League.

Only Two Wards Excluded.

To the Editor of The Evening World.

I inclose herewith my application as a member of the Gas Consumers' League. I wish you would enlighten me as to the following:

I had my gas meter put in on April 15. Kindly let me know if I should deduct 20 per cent. from the gas bill that was presented to me on May 15, or wait until the new gas bill is presented on June 15, i. e., that is to say, from April 15 to May 15?

With many thanks for the opportunity to join your league, and trusting you may be successful,

FRANK C. KIP.
214 Washington avenue,
Parkville, Brooklyn.

The 80-cent gas law went into effect May 1, 1906. You are entitled to this rate, unless you reside either in the Thirtieth or Thirty-first Wards of Brooklyn—districts excepted by statute from getting the low gas rate at this time.

Deposit Evil Later.

To the Editor of the Evening World:

The Gas Consumers' League would do some good if they would take up the question of deposit. Though I own my own place, yet they hold a deposit equal to three times the amount of gas consumed.

Why are the companies allowed to demand a deposit, more than any other business? It is only a gas business.

E. H. PRICE,
No. 327 Forty-sixth street, Brooklyn.

The Gas Consumers' League is now in its baby clothes. It is growing fast, and will doubtless extend the scope of its work to the $10 deposit evil. The companies deny that they have just raised their deposit rates to $10, and The Evening World will welcome any information to prove to the contrary.

No Fear of Losing Gas.

To the Editor of The Evening World:

Kindly inform me what I can do if the gas company attempts to turn off the gas, on my refusing to pay the $1 per thousand, which they demand.

WILLIAM J. GAY.

No. 262 Willis avenue.

Do not have any such fears. The gas man will not turn off your gas, as an implied contract exists between you and the company which the latter cannot break while the 80-cent gas law is being tested as to its constitutionality.

ALBERT L. WASHBURN, WIFE AND BABY.

Bills Average $40 a Month.

To the Editor of The Evening World.

I read, with much interest, your article relative to the Gas Trust, and we wish you would enroll our company as one of the members of the Gas Consumers' League. Kindly advise what is necessary for us to do in regard to the matter.

Our average gas bills are about $40 per month, and we certainly do not feel like paying a dollar when the legal charge is but 80 cents.

CARY MFG. CO.,
S. C. Cary, President.
Nos. 19 and 21 Roosevelt st.

"Stand pat on the 80-cent gas rate—it is the law," is the watchword of the Gas Consumers' League. The Cary Manufacturing Company has been duly enrolled as a member of the organization.

Evening World's Invitation.

To the Editor of The Evening World:

I would ask you to kindly inform me whether the invitation to join the Gas Consumers' League comes from your valuable paper or from an individual, and also what expense, if any, is or may be attached to joining the same. I am very much in favor of joining, and in fact will do most anything within my limited means to prevent the Gas Trust from getting the better of the people, including myself. I would also take this opportunity to thank you for the great and good work you have done for the people of this city in defending them against this monstrous monopoly, which should have been wiped out of existence long ago. L. LILIENTHAL.

The invitation to join the Gas Consumers' League is from The Evening World. There is no expense attached to joining the League—an association of citizens banded together as a protest against the gas thieves.

Legal Rate 80 Cents.

To the Editor of The Evening World:

My gas bill will be due on May 27. Would you please advise me whether I should pay them $1 per 1,000 or 80 cents? FRANZ SCHUMANN.

24 East Twenty-sixth street.

The legal rate is 80 cents a thousand cubic feet.

THE GAS CONSUMERS' LEAGUE.

If you want to join the Gas Consumers' League fill out the blank below and mail it to THE GAS CONSUMERS' LEAGUE, Room 201, Pulitzer Building, New York.

To the Editor of The Evening World:

I desire to enroll myself as a member of the Gas Consumers' League for the purpose of fighting the attempt of the Gas Trust to force me to pay $1 per thousand feet when the law makes the price 80 cents.

Name.....

Address.....

Name of company furnishing gas.....

MUST TEAR OUT DOORS TO BURY BIG WOMAN.

(Special to The Evening World.)

WHITE PLAINS, N. Y., May 25.—Mrs. John Brown, of White Plains, who died to-day, weighed 503 pounds and Undertaker Lyons is constructing a special casket for the body and a double grave is being opened.

It will be necessary to tear out part of the house from which the funeral will be held in order to get the casket out of it. Instead of a hearse an open undertaker's wagon will be used to convey the corpse to the cemetery.

Mrs. Brown was thirty-four years old.

COURT SAYS DRESSER HAD A RIGHT TO SUE.

The United States Circuit Court of Aupeals, after having heard argument to-day on the appeal of the trustee in bankruptcy from the order of the court directing him to transfer to Daniel Leroy Dresser any right that the trustee might have in a cause of action which Dresser claimed against the Mercantile Trust Company and John J. McCook to recover $2,800,000 affirmed the order of the lower court giving Dresser the right to sue.

According to the facts in the case, Dresser claims to individually own a cause of action against the Mercantile Trust Company, John J. McCook and others for $2,800,000 damages for fraud upon him, growing out of the formation and ultimate failure of the United States Shipbuilding Company, of which concern Dresser was practically the promoter.

FAMOUS LAWYERS WHO WILL AID LEAGUE OF GAS CONSUMERS TO FIGHT THE TRUST.

Here are the sentiments of some of the distinguished lawyers who have enrolled in the Gas Consumers' League and will act as Assembly district captains to look after the interests of any of the members who need legal advice:

It will give me great pleasure to join forces with The Evening World in its efforts to prevent the gas companies from attempting to nullify the act of the Legislature. I congratulate The Evening World on its splendid stand on behalf of the gas consumer. SAMUEL S. KOENIG, Sixth District.

I am heart and soul with The Evening World and the Gas Consumers' League in this fight. Call upon me at any time when help is needed for the people of my district. WILLIAM ARMSTRONG, Seventh District.

I sympathize most heartily with the movement in the interests of the gas consumers, and at your instance will assume charge of the league in my Assembly district. SAMUEL COHN, Eleventh District.

Count on me to put forward my best efforts for the people of my district in resisting the oppression of the gas monopoly. CHARLES P. DILLON, Twelfth District.

I am gratified to have an opportunity to help along the Gas Consumers' League. My services are at your disposal. ALFRED E. OMMEN, Fifteenth District.

Every user of gas in the city ought to enroll in the Gas Consumers' League. The individual losses may be small if the Gas Trust succeeds in overriding the will of the Legislature, but the principle involved is of great importance. Are we to be governed by the authorities we elect or by the Gas Trust? ROBERT F. WAGNER, Twenty-second District.

I will be pleased to serve as one of the counsel for the Gas Consumers' League. ISIDOR WASSERVOGEL, Twenty-fourth District.

The Consumers' League has my hearty approval and I will do all I can to contribute to its success. GEORGE B. AGNEW, Twenty-seventh District.

Glad to act in any capacity you name. RICHARD W. HILL, Thirty-fourth District.

I will be only too glad to act in any capacity whereby the residents of my Assembly district will be benefited. We must uphold the will of the people as expressed by the Legislature after careful investigation, that 80 cents is sufficient for the price of gas in this city. JULIUS R. TOBIAS, Thirty-fifth District.

I am heart and soul with The Evening World in this fight against the gas monopoly. Count on me to look after the people of my section of the Assembly district. LEONARD A. SNITKIN, Fourth District.

Rely on me for volunteer services in any part of the city, particularly in the First Assembly District, where I have many friends. The Evening World is making a great fight for the people. DANIEL O'REILLY, First District.

I am deeply in sympathy with the purpose of the Gas Consumers' League. Keep it up, and I will do all in my power to aid the people of my district in the fight for justice. JOHN R. DAVIES, Twenty-first District.

I shall be most happy to serve as captain of the Gas Consumers' League in my district, and I consider the opportunity one that calls for the support of every public spirited citizen. I assure The Evening World of my earnest and hearty support in the work of keeping the 80-Cent Gas law in force. A. PARKER NEVIN, Twenty-fifth District.

ANARCHISTS KILL TWO IN WARSAW BANK HOLD-UP

Pistol Battle Follows as Gang Surprises Clerks and Customers.

WARSAW, Russian Poland, May 25.—A brief but fierce battle took place here to-day at the Industrial Savings Bank, which was attacked by a band of Anarchists. The latter, with drawn revolvers, ordered the clerks and customers in the place to throw up their hands. The chief clerk promptly drew a revolver and fired at the intruders.

This was the signal for a brisk fusillade, during which two of the customers were killed and two of the clerks and one of the Anarchists were wounded.

The Anarchists escaped carrying off their wounded.

Their purpose was robbery, but they failed to secure anything.

RUNNING SORES COVERED LIMBS

Little Girl's Obstinate Case of Eczema — Instantaneous Relief By Cuticura—Little Boy's Hands and Arms Also Were a Mass of Torturing Sores — Grateful Mother Says:

"CUTICURA REMEDIES A HOUSEHOLD STANDBY"

"In reply to your letter I write you my experience, and you are privileged to use it as you see fit. Last year, after having my little girl treated by a very prominent physician for an obstinate case of eczema, I resorted to the Cuticura Remedies, and was so well pleased with the almost instantaneous relief afforded that we discarded the physician's prescription and relied entirely on the Cuticura Soap, Cuticura Ointment, and Cuticura Pills. When we commenced with the Cuticura Remedies her feet and limbs were covered with running sores. In about six weeks we had her completely well, and there has been no recurrence of the trouble.

"In July of this year a little boy in our family poisoned his hands and arms with poison oak, and in twenty-four hours his hands and arms were a mass of torturing sores. We used only the Cuticura Remedies, washing his hands and arms with the Cuticura Soap, and anointed them with the Cuticura Ointment, and then gave him the Cuticura Resolvent. In about three weeks his hands and arms healed up; so we have lots of cause for feeling grateful for the Cuticura Remedies. We find that the Cuticura Remedies are a valuable household standby, living as we do twelve miles from a doctor, and where it costs from twenty to twenty-five dollars to come up on the mountain. Respectfully, Mrs. Lizzie Vincent Thomas, Fairmount, Walden's Ridge, Tenn., Oct. 13, 1905."

Complete External and Internal Treatment for Every Humor, from Pimples to Scrofula, from Infancy to Age, consisting of Cuticura Soap, 25c. Ointment, 50c., Resolvent, 50c. in form of Chocolate Coated Pills, 25c. per vial of 60, may be had of all druggists. A single set often cures the most distressing cases when all else fails. Potter Drug & Chem. Corp., Sole Props., Boston, Mass.

Our "Mailed Free, "How to Cure Torturing, Disfiguring Humors," and "The Great Skin Book."

DIAMONDS

No Security. No Interest. No Embarrassment. No Employers' references.

Cash or Credit.

Call or write for Catalogue 44

L. SWEET & CO.

39 MAIDEN LANE, N. Y.

Brooklyn Branch, 407 Fulton St.

PILES INSTANTLY RELIEVED PERMANENTLY CURED BY Hay's Skinhealth Oint.

NO CUTTING. NO PAIN. HEALS when all other remedies fail. QUICK. SAFE. SURE.

Send 2c. for FREE SAMPLE.

Philo Hay Spec. Co., Newark, N. J.

25c. at all Druggists.

Established Over 40 Years.

N. S. BRANN

MANUFACTURING JEWELER,

231 Eighth Av., Bet. 21st & 22d Sts.

OPEN EVENINGS.

The Leading Solid Gold Wedding Ring House of America.

Thousands of 14K. and 18K. Solid Gold Wedding Rings from $2.75 Up.

All Engraving Done Free of Charge.

On account of stock-taking $250,000 worth of Diamonds, Watches, Jewelry, Clocks, etc., will be sold at a tremendous reduction. It will pay you to come miles out of your way for these great bargains.

Solid Gold Ladies' Hunting Case Watches	$7.75 to $100
Solid Gold Gents' Hunting Case Watches	$12.50 to $150
Sterling Silver Ladies' Hunting Case Watches	$5.00
Sterling Silver Gents' Hunting Case Watches	$8.00
SPECIAL—100 Gents' Handsome Hunting Case, Gold-Filled Watches, warranted for 20 years; Waltham movement	$7.85
All watches warranted accurate timekeepers.	
Solid Gold Heart Lockets, set with genuine diamonds, complete with chain	$5.00
Solid Gold Crosses, complete with chain	$3.00
Solid Gold Signet Rings from	$2 to $25

Large monogram engraved free. Ladies' and Gents' Solid Gold Genuine Diamond Rings from $8.00 to $100. Handsome Solid Gold Scarf Pins, from $1 up. A large and beautiful assortment of Combs.

Mail Orders Promptly Attended To. ALL CARS transfer to N. S. BRANN'S

OPEN EVENINGS.

STUDY THE 1906

World Almanac carefully and you will get a better idea of the magnitude — of the greatness of these United States in which we live.

PRICE 25 CENTS BY MAIL 35 CENTS